

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

REX CHAPPELL,

Plaintiff,

No. CIV S-04-1183 LKK DAD P

vs.

C.K. PLILER, et al.,

Defendants.

ORDER

On June 6, 2008, the court inadvertently issued findings and recommendations, recommending dismissal of this action due to plaintiff's failure to file a status report. Plaintiff had in fact filed a timely status report. Accordingly, the court will vacate the findings and recommendations and the case will proceed in accordance with the court's February 8, 2008 discovery order.

Good cause appearing, IT IS HEREBY ORDERED that:

1. The court's June 6, 2008 findings and recommendations are vacated; and
2. The case will proceed in accordance with the court's February 8, 2007 discovery order.

DATED: July 3, 2008.

  
DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE